

PUBLIC HEARING
March 24, 2003

PUBLIC HEARINGS were held on Monday, March 24, 2003, at 7:03 p.m. in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, to solicit public comment, written or oral, on Bill No. **03-3** and **03-5** Zoning Reclassification.

Present: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3, Vice-Chairman; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr. Council Member District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Ms. Nicole Ewing, Deputy County Attorney, and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and the Berkeley County Library, published in THE MONITOR and THE HANAHAN NEWS on March 5, 2003, as evidenced by attached copy of Affidavits of Publication and mailed to the newspaper, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order and asked if there were any written comments on any of the Public Hearings; and there were none. He stated these Public Hearings were being held to solicit public comment, written or oral on the following:

Bill No. 03-3, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Gary and Laurie O'Neill, 326 Garbar Lane, Moncks Corner, TMS #197-00-02-022 (4.33 acres), and 197-00-02-026 (1.83 acres), from R-2, Manufactured Residential District, to F-1, Agricultural District. Council District No. 3.

Chairman Rozier asked if there were any written or public comments; there being none the public hearing was ended at 7:05 p.m.

Bill No. 03-5, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: James W. Lewis, Jr., 2172 North Highway 17-A, Bonneau, TMS #087-00-07-025 (a .71 acre portion, 2.51 acres total), and 087-00-07-086 (one lot), from F-1, Agricultural District, to GC, General Commercial District. Council District No. 6.

Chairman Rozier asked were there any written or public comments on Bill No. 03-5.

Mr. Neal Orvin, 135 Semiquiver Lane, Bonneau (Macedonia Community) stated he had been before Council before in opposition to the rezoning of this property. He is opposing the rezoning for various reasons: 1) the area is congested and they feel that any more commercial property would cause more confusion; 2) in the past the property was used for endeavors that

were less than wholesome for the community; it was discussed in previous meetings the property was used as a pool hall. He stated that he was not opposed to the proposed use of the property, although he does think it will be a short lived endeavor; therefore, if it is rezoned General Commercial it will open the property up for any use.

Councilmember Crosby asked if a medical facility was to go into that property?

Mr. Orvin indicated that it is proposed. He had tried to garner information from the Nursing Board of South Carolina. They have not been informed of such, but indicated this facility did not have to apply for a license or permit to operate.

Councilmember Crosby asked Mr. Harold LeaMond, County Planner if a medical facility would not fall under Office Institutional?

Mr. LeaMond indicated that was correct.

Mr. Orvin stated the only problem he had was with the property being rezoned General Commercial. If he could be assured that no other business like had been there in the past could occupy the property, then Office Institutional would be fine with him.

Mr. James W. Lewis, Sr., indicated that property would not be used for the purpose of a bar or pool hall, as it was in the past.

Chairman Rozier asked again if the property was going to be used as a medical facility?

Mr. Dawn Mills, 110 Lana Lane, Bonneau (Macedonia Community) stated it was.

Chairman Rozier asked if the property were to be rezoned to Office Institutional, would it be acceptable to the landowner and requesting party?

Mr. James W. Lewis and Ms. Dawn Mills indicated that would be acceptable.

Mr. LeaMond explained that if the request for rezoning were to be amended, the entire process would have to be reinitiated.

Chairman Rozier asked if it would have to be given three readings and a public hearing again?

Mr. LeaMond stated that was correct. To serve public notice it would have to be reposted.

Ms. Nicole Ewing, Deputy County Attorney indicated that might not be the case, since it was being rezoned to a lesser restrictive zoning.

Chairman Rozier recommended to Council that if they were willing to rezone it to Office Institutional he would not sign the ordinance until it was researched and found it to be completely legal.

Mr. Cecil Mills, 110 Lana Lane, Bonneau, explained they have thought of the congestion and the plan is that the entrance to the property would be accessed through one of the forty (40) foot roads on either side of the property. Therefore, the entrance would not come off of Hwy 17-A.

Councilmember Fish asked if they had applied for the license and how soon they would be opening the facility?

Ms. Mills stated that she has been licensed for over three (3) years and has just signed a contract with a physician in Moncks Corner, who is very willing to support her. She stated some remodeling will have to be done to the property before it can be used, thus it may be open within the next year. She stated there is a need in the area for a medical facility. There is Honey Hill, Alvin, Jamestown, and Bethera in that area.

Councilmember Spooner asked Ms. Mills what her title was?

Mr. Mills indicated that she has a Masters degree in nursing. She is a Nurse Practitioner.

Chairman Rozier stated it was his understanding that a Nurse Practitioner could have a office and provide services as long as they have a physician they can contact via telephone.

Mr. Mills explained that was correct, there only needed to be a collaborating physician within a forty-five (45) mile radius.

Councilmember Spooner asked if the state law in South Carolina allowed her to write prescriptions?

Ms. Mills stated she can write all prescriptions and controlled #5 substances.

Ms. Audrey Orvin indicated that Council had a petition that was circulated in the general area of the proposed property. She believes that no one that signed the petition were against the growth of the Macedonia Community in order to have such a facility. However, the people who have signed the petition do not wish to see the facility in this particular place. There are other areas in the Community that are commercial and could accommodate the facility. She explained that she was not sure if the people, including herself, would like to see it rezoned Office Institutional because it may change the tax assessment on the properties surrounding the purposed property.

Chairman Rozier explained it would not affect anyone's property but the property owner's taxes.

Ms. Orvin stated that she and her husband own a drug store in town and that people have expressed that they do not wish to see a Nurse Practitioner; they would rather see a doctor.

Councilmember Spooner asked if the property around these were zoned General Commercial?

Mr. LeaMond indicated they were rezoning two lots. There was other General Commercial land around this property, but none contiguous to this property.

Mr. Orvin explained that he has been practicing pharmacy for over twenty (20) years. They are seeing more of where the physicians are using the ancillary assistance in order to see more patients; whether that be a Nurse Practitioner or a prescribing physician's assistant. Since this has come about he has had conversations daily with patients that are disgruntled because they have been pushed onto these assistants and practitioners. Thus, his thought is that the facility will not thrive because no one will be willing to be seen by a Nurse Practitioner.

Chairman Rozier indicated that no one has to go to these offices. Also, it is not up to the Council to make business decisions for persons wishing to open a business.

There being no further written or public comments, the public hearing was ended at 7:22 p.m.

S/Barbara B. Austin
Clerk to County Council

April 28, 2003
Date Approved

AGENDA FOR PUBLIC HEARINGS

Public Hearings to solicit public comment, written or oral, will be held on Monday March 24, 2003, at 6:45 p. m., or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., regarding the following:

CALL TO ORDER

1. Bill No. 03-3, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Gary and Laurie O'Neill, 326 Garbar Lane, Moncks Corner, TMS #197-00-02-022 (4.33 acres), and 197-00-02-026 (1.83 acres), from R-2, Manufactured Residential District, to F-1, Agricultural District. Council District No. 3.

PUBLIC DISCUSSION

2. Bill No. 03-5, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: James W. Lewis, Jr., 2172 North Highway 17-A, Bonneau, TMS #087-00-07-025 (a .71 acre portion, 2.51 acres total), and 087-00-07-086 (one lot), from F-1, Agricultural District, to GC, General Commercial District. Council District No. 6.

PUBLIC DISCUSSION

ADJOURNMENT

March 19, 2003
S/Barbara B. Austin
Clerk of County Council